

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

OMAR H WESLEY,
by next friend BRENDA WESLEY,

Plaintiff,

Case No. 19-cv-0918-bhl

v.

ARMOR CORRECTIONAL HEALTH
SERVICES INC, et al.,

Defendants.

ORDER

On August 31, 2023, Defendants Milwaukee County and Wisconsin County Mutual Insurance Corporation (collectively “County Defendants”) and Armor Correctional Health Services, Inc. (“Armor”) filed a Stipulation for Judgment in Favor of [County Defendants] and Against [Armor]. (ECF No. 272.) The stipulation provides: “Armor stipulates and agrees to a judgment against it and in favor of Milwaukee County and Wisconsin County Mutual Insurance Corporation in the amount of \$1,050,000, pursuant to its indemnification obligation to the County Defendants.” (*Id.* at 3.) On September 1, 2023, the Court issued an order approving the stipulation and entered judgment in the amount of \$1,050,000 in favor of County Defendants and against Armor. (ECF Nos. 273 & 274.) Upon further consideration, the Court has determined that the entry of judgment against Armor was premature and the order and judgment must be vacated. Federal Rule of Civil Procedure 60(a) authorizes the Court to, on its own initiative and without notice, correct mistakes “arising from oversight or omission” in a judgment or order. The Court’s September 1, 2023 order and subsequent entry of judgment against Armor were premature and resulting from the Court’s oversight. Because the order and judgment were in error, they are both vacated in accordance with FRCP 60(a).

Accordingly,

IT IS HEREBY ORDERED that the Court's September 1, 2023 Order, ECF No. 273 and subsequent entry of judgment against Armor, ECF 274 are **VACATED**.

IT IS FURTHER ORDERED that a telephonic status conference is set for **Wednesday, September 13 at 10:30 AM, Central**, wherein the Court will discuss this matter further with the parties. To appear, call the Court conference line at 1-669-254-5252 and enter Meeting ID 160 9600 2659 and Passcode 243805 before the scheduled hearing time.

Dated at Milwaukee, Wisconsin on September 8, 2023.

s/ Brett H. Ludwig

BRETT H. LUDWIG

United States District Judge